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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,746	12/19/2001	Michael Hock	4680-00001	7652

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EXAMINER

STRIMBU, GREGORY J

ART UNIT PAPER NUMBER

3634

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,746

Applicant(s)

HOCK, MICHAEL

Examiner

Gregory J. Strimbu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/25/05 and 5/11/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 82-121 is/are pending in the application.
- 4a) Of the above claim(s) 120 and 121 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 82-119 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/20/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election of Group I in the reply filed on April 25, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Accordingly, claims 120 and 121 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on April 25, 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 82, 83, 86-104, 106, 108, 109, 110, 112, 113, and 115-118 are rejected under 35 U.S.C. 103(a) as being unpatentable over German Patent Publication No. 196 16 788 in view of Widrig et al., Gooding et al. and Kim. German Patent Publication No. 196 16 788 discloses a lightweight door for motor vehicles comprising: a supporting frame comprising a U-shaped portion comprising a hinge support 3 forming one U-limb, a lock support 2 forming the other U-limb, and a door bottom 4 that interconnects the hinge support and lock support; inner and outer window gutter profiles 6 made from light

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metal or a light metal alloy and attached to the hinge support and lock support, wherein if the lightweight door is installed in a motor vehicle body, the inner and outer window gutter profiles are essentially aligned in the longitudinal direction of the motor vehicle body; and a window frame 5 made of light metal or a light metal alloy, the window frame having first and second ends (not numbered, but shown in figure 1) attached to the inner window gutter profile, wherein reinforcement and connection sheets 8 are arranged on the supporting frame and permanently connected to the supporting frame, a mirror triangle 17.

German Patent Publication No. 196 16 788 is silent concerning welding, pressed or deep drawn parts, a lateral impact protection element and reinforcement and connection sheets forming hollow chambers.

However, Widrig et al. discloses a lightweight door for a motor vehicles comprising a lateral impact protection element 14 having first and second ends (not numbered, but shown in figure 1) attached to the supporting frame via brackets 121, 131, wherein the lateral impact protection element is an extruded profile made from light metal or a light metal alloy, the bracket 121 comprises a upper hinge strengthening plate, a lower hinge point strengthening plate 17. Widrig et al. also teaches the use of welding to attach components of a vehicle door frame to one another.

It would have been obvious to one of ordinary skill in the art to provide German Patent Publication No. 196 16 788 with a side impact protection element and welding, as taught by Widrig et al., to decrease the probability of injury to passengers of the

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vehicle during a side impact collision and to increase the strength of the door, respectively.

Additionally, Gooding et al. discloses reinforcement and connection sheets 36 and 40, as shown in figures 4 and 5, which form hollow chambers, a single part outer skin 12 permanently connected to the door frame 14, 28 and 30, a area-shaped cross stay 26.

It would have been obvious to one of ordinary skill in the art to provide German Patent Publication No. 196 16 788 with reinforcement means and connection sheets and an outer skin, as taught by Gooding et al., to increase the strength of the door.

Finally, Kim discloses the use of pressed parts to form a door panel of a vehicle door. See column 3, lines 7-25.

It would have been obvious to one of ordinary skill in the art to provide German Patent Publication No. 196 16 788 with pressed parts, as taught by Kim, to eliminate waste. See column 2, lines 11-16.

Claims 84 and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over German Patent Publication No. 196 16 788 in view of Widrig et al., Gooding et al. and Kim as applied to claims 82, 83, 86-104, 106, 108, 109, 110, 112, 113, and 115-118 above. German Patent Publication No. 196 16 788, as modified above, is silent concerning the particular thickness of the support frame.

However, one of ordinary skill in the art is expected to routinely experiment with parameters so as to ascertain the optimum or workable ranges for a particular use.

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Accordingly, it would have been no more than an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill to provide the supporting frame with a thickness of approximately 1.2mm to approximately 1.8mm.

Claims 105, 107, 111, 114, and 119 are rejected under 35 U.S.C. 103(a) as being unpatentable over German Patent Publication No. 196 16 788 in view of Widrig et al., Gooding et al. and Kim as applied to claims 82, 83, 86-104, 106, 108, 109, 110, 112, 113, and 115-118 above, and further in view of Rashid et al. Rashid et al. discloses a magnesium vehicle door.

It would have been obvious to one of ordinary skill in the art to provide German Patent Publication No. 196 16 788, as modified above, with a magnesium construction, as taught by Rashid et al., to increase the rigidity of the door.

Response to Arguments

Applicant's arguments filed December 23, 2004 have been fully considered but they are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. The applicant has presented new claims 82-119 which necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

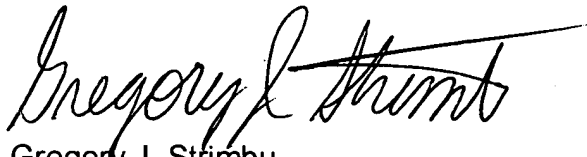
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal stroke extending to the right.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
July 20, 2005